

TESTIMONY OF PATRICK J. RUSZ
On January 29, 2009 before the
Agriculture Committee Of the Michigan Senate

I'm Pat Rusz, Director of Wildlife Programs for the Michigan Wildlife Conservancy. I began studying the cougar in Michigan for the non-profit Wildlife Conservancy about 11 years ago. We were dismayed at how citizens were being treated when they reported sightings of cougars--subjected to ridicule, even called liars by state wildlife officials. We looked into the matter not just because of concern for the cougar, an endangered species, but also because of concern for our state's citizens. Here's some of what we have learned.

There have been persistent cougar sightings in Michigan since the 1800s--they are not a recent phenomena. Distinct areas of both peninsulas have long histories--30 years or more--of cougar sighting reports along with some corroborating physical evidence. Contrary to assertions by our DNR, much of this evidence is not suspect, inconclusive, or otherwise shaky. It is good, hard evidence. For example, in the Lower Peninsula's Alcona County, a very clear and close-up photo of a cougar lying in ferns and grass was taken by Jim Deutsch, of Curran, in summer of 1997. It was reviewed by numerous wildlife biologists who admitted it was taken in Michigan. The photo was published in the September 13, 1997 front page of the Detroit Free Press, and hung on a DNR office wall for several years. But incredibly, our DNR eventually blew it off by suggesting it is a photo of a mounted cougar and falsely accusing the photographer and landowner of fraud.

Four years earlier, a photo of a cougar standing by a tree along a stream had been taken by George White about 5 miles to the west across the Oscoda County line. Mr. White was carrying a camera while deer hunting because numerous cougar tracks had been reported in that area. I verified through field studies that the Deutsch and White photos are authentic documentations of cougar sightings in Michigan.

In 1998, DNR wildlife biologist Larry Robinson reported seeing a cougar about 10 miles to the south of the 1994 and 1997 photo sites. He photographed its tracks and sent a memo to his supervisors in which he told of the sighting and asked how to get the information into Wildlife Division files without the media finding out. That same year, another DNR wildlife biologist, John Royer, reported cougar tracks within about 12 miles of where Jim Deutsch's photo was taken. But he was told by the DNR's so-called cat expert at the time--Rich Earl--that the cougar must be an escaped or released pet and that his finding was therefore of no significance.

In 2001, in the same general area, the Wildlife Conservancy found cougar tracks and scat verified as that of cougar by DNA analyses by Central Michigan University. Thus, there was documentation within an area of a size fairly typical of a cougar home range (200 square miles), the continued presence of at least one cougar or (alternatively) multiple cougars, over a 7-year period. Our DNR nevertheless continues to tell the public they have no evidence of cougars in the Lower Peninsula.

From 2001-2003, we found cougar DNA in scats from 8 widely separated areas--4 in the Upper Peninsula, and 4 in the Lower Peninsula. The evidence was peer reviewed and published in the American Midland Naturalist in 2006. One of those scats came from an area near the Menominee-Delta County line where considerable other evidence of cougars has been found. In 1966, a plaster cast of a track was made after a cougar was seen by two conservation officers. One of the officers--Frank Opolka--later became Deputy Director of the DNR. The track was verified as that of a large cat by University of Michigan Museum staff. In 1984, bone was recovered from an animal wounded by a hunter--it was verified as cougar by the Veterinary Lab at Colorado State University. In 2004, the DNR issued a

press release that verified cougar DNA in hair taken from the car bumper of a motorist who claimed she hit a large cat. All this evidence was from the same area.

In Cheboygan and Presque Isle Counties, the evidence is also compelling. Cougar tracks were found by the Wildlife Conservancy west of Onaway in 2002 and we found scat with cougar DNA in Presque Isle County near Rogers City. Two cougars--in Benzie and Roscommon Counties--were actually seen in the field during our surveys.

We were not the first to conclude there are cougars in Michigan. The cougar was placed on the state list of endangered species in 1987. This was a direct result of the steady compilation of cougar evidence over the years, especially in the central Upper Peninsula. A book "Endangered and Threatened Wildlife of Michigan," edited by David Evers, was published in several editions between 1992 and 1997 as the culmination of a long-term project of the Michigan Natural Heritage Program of the DNR. The sections on mammals were reviewed by several prominent DNR wildlife biologists as well as additional naturalists. The section on cougars states: "...several areas throughout its former range, including northern Michigan, may support small populations of cougars...There also are encouraging signs that the Michigan cougar is not transient but occurs in a self-sustaining population--based on several reliable sightings of adult cougars with kittens...The existence of the cougar in Michigan has only been recently confirmed. Whether individuals are from small, remnant populations that survived human pressures through the last two centuries, transients from the western Great Lakes region, or privately released (or escaped) western subspecies, the cougar needs to be recognized, protected, and studied in Michigan's Upper Peninsula."

It is outrageous that in the 15 years since this book was published with DNR funds, and in the 22 years since the DNR placed the cougar on the endangered species list, the agency has neither recognized, nor properly protected, nor studied the cougar anywhere in Michigan.

We have confirmed the presence of resident cougars--with established home ranges--in both peninsulas. The areas they occupy have two things in common: (1) the landowners and local officials know they are there, and (2) there have been occasional attacks on livestock that likely have involved cougars. It is the livestock attacks that spark the most public concern and frustrate citizens who run into what they perceive as bureaucrats behaving badly.

A landowner near Onaway in Cheboygan County lost a horse to an apparent cougar attack in 2003, less than a mile from where the Wildlife Conservancy had found cougar tracks the previous year. The landowner reported that he saw the cougar, but was told by wildlife officials--it was likely a bear. In Kalkaska County, the DNR's response to an apparent cougar attack was to issue kill permits to local landowners including one who merely reportedly saw a cougar enter her property. In the Crystal Falls and Mio areas, and even in the southernmost areas of our state, the scenario has been re-played many times. Compelling evidence of cougar attacks on livestock--including horses and cattle--has either been ignored or acknowledged with caveats that absolve the DNR of any need to make a meaningful response. The bottom line is that livestock owners and local officials are left holding the bag and local anger ends up directed at the cougar. The Wildlife Conservancy has assisted several local law enforcement agencies (and their state associations) who have had cougar attack cases dumped on them after being told by DNR officials "it couldn't have been a cougar." A few years ago, in Jackson County's Parma Township, I necropsied one very dead 1,200 pound horse with 8 sets of clear tooth puncture marks that matched

exactly the bite of a large cougar. The DNR did not examine the horse, but sent photos they received to out-of-state experts. The DNR subsequently admitted to the press that the horse was apparently killed "by a large cat" but would not say the "c" word--"cougar." This bureaucratic non-sense led to citizen fears that maybe an African lion or something else was out there.

In the past 10 months, the DNR has confirmed two sets of cougar tracks found in or near two of the study areas where the Conservancy found scat with cougar DNA more that five years earlier. So, what does the agency tell us today? Mike Bailey, a high-ranking DNR biologist, recently was quoted by the Oakland Press as saying that there's just one wandering cougar (a male) in the Upper Peniinsula and none in the Lower Peninsula. And the DNR continually throws out non-sensical theories that if there were any cougars, they must be pets or wanderers from South Dakota.

At Sleeping Bear Dunes National Lakeshore's trailheads, signs posted by the National Park Service warn the area's one-million plus annual visitors that they are entering cougar habitat. Berrien County and the City of Battle Creek have issued public safety alerts about cougars in their areas. Yet, our DNR keeps telling everyone that they have no evidence of any cougars in the Lower Peninsula and just one wandering male in the Upper Peninsula.

The public deserves better than this. The public deserves policies and law administration based on the best scientific information available--and we're clearly not getting that in the case of the cougar in Michigan.

Thank you for allowing me to address this committee.